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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,156	03/21/2001	Seiichi Miyanaqa	0425-0824P	3543
2292 7590 04/21/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER KEYS, ROSALYND ANN				
ART UNIT 1621		PAPER NUMBER		
NOTIFICATION DATE 04/21/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

09/763,156

Applicant(s)

MIYANAGA, SEIICHI

Examiner

ROSALYND KEYS

Art Unit

1621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17 is/are allowed.
- 6) ☒ Claim(s) 1-10 and 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. Claims 1-10 and 14-17 are pending.
Claims 1-10 and 14-16 are rejected.
Claim 17 is allowed.

Response to Amendment

Claim Rejections - 35 USC § 112

2. The rejection of claim 10 under 35 U.S.C. 112, second paragraph, is withdrawn, due to the amendment to said claim, filed January 22, 2008.
3. The rejection of claims 11-13 under 35 U.S.C. 112, second paragraph is withdrawn, since these claims were canceled in the amendment, filed January 22, 2008.

Claim Rejections - 35 USC § 101

4. The rejection of claims 11-13 under 35 U.S.C. 101 is withdrawn, since these claims were canceled in the amendment, filed January 22, 2008.

Claim Rejections - 35 USC § 102

5. The rejection of claims 1, 2, 5, 6, 8-13 under 35 U.S.C. 102(b) as being anticipated by Kalopissis et al. (US 3,578,719) is withdrawn, due to the amendment to claim 1 and cancellation of claims 11-13, filed January 22, 2008.

Claim Rejections - 35 USC § 103

6. The rejection of claims 1 and 4 under 35 U.S.C. 103(a) as being unpatentable over Kalopissis et al. (US 3,578,719) as applied to claim 1 above, and further in view of Vysotskaya et al. (Mechanics of Composite Materials, Volume 23, No. 4, July 1988, pages 513-518) is withdrawn, due to the amendment to claim 1, filed January 22, 2008.

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7. The rejection of claims 1, 3 and 7 under 35 U.S.C. 103(a) as being unpatentable over Kalopissis et al. (US 3,578,719) as applied to claim 1 above, and further in view of Amanokura et al. (Science and Industry, Vol. 73, No. 3, pages 114-119, 1999) is withdrawn, due to the amendment to claim 1, filed January 22, 2008.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-6, 8-10 and 14-16 are rejected under 35 U.S.C. 102(b) as anticipated by Takeaki et al. (machine translation of JP 08-012619).

Takeaki et al. teach the claimed invention (see entire disclosure, in particular paragraphs 0002, 0008-0015, and 0020-0046).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kenji et al. (machine translation and abstract of JP 11-080783) teach a surfactant and detergent composition.

Kimiyoshi et al. (machine translation and abstract of JP 09-316144) teach a surface active compound for use in a water-based coating composition.

Renouf et al. teach a surface active properties of a series of new anionic Gemini compounds.

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11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Allowable Subject Matter

12. Claim 17 is allowed.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROSALYND KEYS whose telephone number is (571)272-0639. The examiner can normally be reached on M, R & F 5:30-7:30 am & 1-5 pm; T & W 5:30 am-4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler can be reached on 571-272-0871. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ROSALYND KEYS/
Primary Examiner, Art Unit 1621

April 13, 2008